

REMARKS

Applicants respectfully request reconsideration of the present Application. Claims 1, 14, 21, and 23 have been amended herein without introducing new matter. Claims 1-19 and 21-32 are currently pending and believed to be in condition for allowance.

Rejections based on 35 U.S.C. § 103

Claims 1-19 and 21-22 were rejected under 35 U.S.C. § 103(a) for allegedly being obvious in view of the combination of U.S. Patent No. 7,093,296 to Nusser, et al. (Nusser), U.S. Publication No. 2005/0280853 to Newman et al. (Newman), U.S. Patent No. 7,042,583 to Wilkins et al. (Wilkins), and U.S. Patent No. 6,603,879 to Haikin, et al. (“Haikin”). In light of the above amendments and for the following reasons, Applicants believe the cited references do not obviate claims 1-19 and 21-32.

To establish a *prima facie* case of obviousness, the prior-art references must teach or suggest all the claim limitations. *See MPEP § 2143*. The teaching or suggestion, and the reasonable expectation of success must be found in the prior art and not be based on the Applicants’ disclosure. MPEP § 2143 (referencing *In re Vaeck*, 947 F.2d 488, 493 (Fed. Cir. 1991)). Additionally, there must a reasonable expectation of success. *See MPEP § 2143*. The “teaching or suggestion” to make the claimed combination and the “reasonable expectation of success” must both be found in the prior art, not in the Applicants’ disclosure. MPEP § 2143 (citing *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)). Also, if an independent claim is nonobvious under 35 U.S.C. § 103, then any claim depending therefrom is nonobvious. *See MPEP § 2143.03; see also, In re Fine*, 5 USPQ 2d 1596, 1600 (Fed. Cir. 1988).

Independent claims 1, 14, 21, and 23 have been amended herein to recite containers that “add an XML-based signature from the purveyor of the electronic device to the

additional extensions of color space information” and “use the XML-based signature to deny the user the ability to edit the additional extensions of color space information.” Applicants submit that none of the cited references teach or suggest a container that adds an XML signature to a purveyor’s color extensions for an electronic device. Nor do the references mention using such a signature to deny a user the ability to edit the additional extensions of color space information.

At best, Nusser mentions techniques for retrieving usage rights associated with a data media (*Nusser*, col. 4, lines 39-43), and Haikin mentions allowing developers to customize a gamut mapping algorithm for a particular device (*Haikin*, col. 7, l.47-49). Yet, neither reference mentions a XML signature, let alone using an XML signature to deny a user from editing extensions of color space information. Newman likewise falls short of teaching the aforesaid container features of claims 1, 14, 21, and 23.

Therefore, Applicants respectfully submit that claims 1, 14, 21, and 24, as amended herein, are not obvious in light of the cited references. Accordingly, the § 103(a) rejection of these claims should be withdrawn. Furthermore, Applicants submit that dependent claims 2-13, 15-19, 22-23, and 25-32 are also not obvious in light of the asserted references based on their dependency from independent claims 1, 14, 21, and 24.

CONCLUSION

For at least the reasons stated above, claims 1-19 and 21-32 are now in condition for allowance. Applicants respectfully request withdrawal of the pending rejections and allowance of the claims. If any issues remain that would prevent issuance of this application, the Examiner is urged to contact the undersigned at 816-474-6550 or phoeller@shb.com (such communication via email is herein expressly granted). The Commissioner is hereby authorized to charge any additional amount required for this response to Deposit Account No. 19-2112.

Respectfully submitted,

/PETER J. HOELLER/

Peter J. Hoeller
Reg. No. 61,468

PJHX/jc
SHOOK, HARDY & BACON L.L.P.
2555 Grand Blvd.
Kansas City, MO 64108-2613
816-474-6550